

# SENATE RECORD VOTE ANALYSIS

104th Congress  
1st Session

Vote No. 587

November 29, 1995, 6:36 p.m.  
Page S-17773 Temp. Record

## SAFE DRINKING WATER/Reporting Mandate

**SUBJECT:** Safe Drinking Water Amendments Act of 1995 . . . S. 1316. Chafee motion to table the Boxer amendment No. 3078.

### ACTION: MOTION TO TABLE AGREED TO, 59-40

**SYNOPSIS:** As reported, S. 1316, the Safe Drinking Water Amendments Act of 1995, will reauthorize the Safe Drinking Water Act (SDWA) and will authorize \$1 billion annually over the 1996-2003 period for the creation of State Revolving Funds for drinking water facilities.

**The Boxer amendment** would require each community water system to issue a consumer confidence report at least once annually to its water consumers on the levels of contaminants in its water. The report would include, but would not be limited to: information on the source, content, and quality of water purveyed; a plainly worded explanation of the health hazards that are posed by federally regulated drinking water contaminants and contaminants that are the subject of health advisories; information on compliance with Federal drinking water regulations; and information on priority unregulated contaminants, including cryptosporidium and radon. This new mandate would not apply to community water systems that serve fewer than 10,000 people, nor would it apply to other systems as determined by a State's Governor. Those other systems would give notice of noncompliance with this mandate to their customers. The Environmental Protection Agency (EPA) would issue regulations within 3 years to implement this mandate.

Debate was limited by unanimous consent. Following debate, Senator Chafee moved to table the Boxer amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

**Those favoring** the motion to table contended:

The Boxer amendment would impose unnecessary, costly, nit-picking requirements on water systems. Those systems' customers would have to pick up the tab for those requirements. Some States, such as Maryland and California, have already enacted exactly the type of mandates that are in this amendment. We have no problem with States imposing this foolish burden on themselves. We

(See other side)

YEAS (59)			NAYS (40)			NOT VOTING (0)	
Republicans (50 or 94%)	Democrats (9 or 20%)		Republicans (3 or 6%)	Democrats (37 or 80%)		Republicans (0)	Democrats (0)
Abraham	Helms	Baucus	Cohen	Akaka	Hollings		
Ashcroft	Hutchison	Breaux	Jeffords	Biden	Inouye		
Bennett	Inhofe	Bryan	Snowe	Bingaman	Kennedy		
Bond	Kassebaum	Exon		Boxer	Kerry		
Brown	Kempthorne	Johnston		Bradley	Kohl		
Burns	Kyl	Kerrey		Bumpers	Lautenberg		
Campbell	Lott	Moynihan		Byrd	Leahy		
Chafee	Lugar	Nunn		Conrad	Levin		
Coats	Mack	Reid		Daschle	Lieberman		
Cochran	McCain			Dodd	Mikulski		
Coverdell	McConnell			Dorgan	Moseley-Braun		
Craig	Murkowski			Feingold	Murray		
D'Amato	Nickles			Feinstein	Pell		
DeWine	Pressler			Ford	Pryor		
Dole	Roth			Glenn	Robb		
Domenici	Santorum			Graham	Rockefeller		
Faircloth	Shelby			Harkin	Sarbanes		
Frist	Simpson			Heflin	Simon		
Gorton	Smith				Wellstone		
Gramm	Specter						
Grams	Stevens						
Grassley	Thomas						
Gregg	Thompson						
Hatch	Thurmond						
Hatfield	Warner						

#### EXPLANATION OF ABSENCE:

1—Official Business  
2—Necessarily Absent  
3—Illness  
4—Other

#### SYMBOLS:

AY—Announced Yea  
AN—Announced Nay  
PY—Paired Yea  
PN—Paired Nay

do, however, have a problem with the Federal Government imposing it on every State in the Union, whether they want it or not. Frankly, we do not think there is much utility to such reporting. For instance, in looking at a copy of the Patuxent and Potomac Water Filtration Plant's report (that plant is in Maryland), we have a long list of 80-some unpronounceable substances listed, along with the number of micrograms per liter of these substances that are found in the system's water. For instance, this copy informs us that the system's water does not have detectable amounts of 1-3 dichloropropane, and it further states that the EPA does not have any limit for this chemical. Virtually every water user will of course immediately deposit this missive in the circular file upon receiving it. This type of mandate is the type we are trying to avoid with this bill. If the idea is as good as our colleague from California thinks it is, then States will adopt it on their own. If, on the other hand, the States do not think their citizens want to spend up to \$10 million per year (which is the cost of the Boxer amendment) to receive reports telling them that their water is just fine, then they will not spend that money. Under this bill, water systems are required to notify their customers within 24 hours of any violation of a drinking water standard that causes an immediate health concern and to notify their customers of any other violations as soon as possible. Further, the States and the EPA will prepare a list of the violations in each State annually, and that list will be available to the public. These requirements are sufficient. We see the value in telling people when there's a violation, but we see no value in imposing a Federal mandate to tell people when their water is fine. If our colleagues agree, they will join us in voting to table the Boxer amendment.

**Those opposing** the motion to table contended:

If Senators think that Americans have a right to know the amounts of dangerous contaminants that are in their drinking water then they will vote in favor of this amendment. The Boxer amendment is a right-to-know amendment that will encourage water companies to reduce the level of contaminants. The existing Federal regulations are not the final word in drinking water safety--all Senators are aware that there are some contaminants that are very dangerous that are not yet regulated. The most notorious of the unregulated contaminants is cryptosporidium, which has caused hundreds of deaths in recent years. Further, according to the General Accounting Office, 63 percent of the violations of current Federal regulations go unreported. This number is unacceptable. We want all violations to be reported, plus we want regular reports on all potentially dangerous contaminants, whether they are regulated yet or not. Americans who travel about the country should not have to worry about whether the water they drink in other States is safe. In every State, they should be able to know exactly what is in the water, and they should know that water is safe. The Boxer amendment follows this principle, and thus deserves our support.